



# *Town Of Walpole*

## *Commonwealth of Massachusetts*

### **PERSONNEL BOARD**

Albert DeNapoli, Chair  
Phil Hinds  
Joseph Moraski  
Ann Ragosta  
Michael Teeley

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### **MINUTES OF MAY 24, 2016**

A meeting of the Personnel Board was held on Tuesday, May 24, 2016 at 6:00 p.m. in Room #116 of the Town Hall. Mr. Teeley was unable to attend. The following members were present:

Albert DeNapoli, Chair  
Phil Hinds  
Joseph Moraski  
Ann Ragosta

Also: James Johnson, Town Administrator  
Thomas Gregory, Asst. Town Administrator  
Daniel Brown, Labor Counsel Attorney

### **APPOINTMENT:**

6:00 James Johnson, Town Administrator re: Deputy Fire Chief position & Storm water Management  
**Storm water Management:**

Mr. Johnson informed the Board that Mr. Mattson, Superintendent of Sewer & Water will have an increase in hours from 35 to 40 giving him a \$14,000 adjustment in pay. Mr. Mattson will take on additional responsibilities pertaining to Storm Water Management. At a prior meeting Mr. Johnson indicated that he would consult with the board and present such issues in advance before proceeding.

Ms. Ragosta was under the assumption that employees work 40 hours per week and those that worked less than 40 were prorated down on the same grade and step. Working 40 hours will put him over the grade level.

Mr. Johnson informed the Board that we currently have 2 employees that are prorated up. They were hired to work 35 hours per week at the salary noted on the salary schedule. Their hours were increased to 40; therefore the salary was prorated up to pay for the additional five hours worked each week. When an employee is hired they would be informed of working 40 hours at the salary noted on the schedule and others are hired at 35 hours per week. I have 100% faith in Mr. Mattson; he knows his line crew, treatment plants and the water tanks. He will be taking on additional responsibilities with Storm Water Management.

Mr. Moraski stated that he has no issue with this, Mr. Mattson was hired for 35 hours per week, will increase to 40. There is nothing in the Personnel By-laws that prevents this. My proposal is that once a position is vacated hire the new person to work 40 hours to reflect salary noted on the salary schedule. The proration of pay has been a past practice, nothing prevents this. When a salary survey is done there is no mention of the number of hours worked, only the salary.

Dan Brown Town Counsel informed the members that this is a similar situation in a lot of towns.

Mr. Moraski insisted that when he was a Personnel Board member from 1977 – 1983 all employees worked 40 hours.

Mr. Johnson stated that the Memorandum of Agreement for Mr. Mattson is with the Board of Selectmen, not the Personnel Board, it is allowed.

Mr. Moraski confirmed that the Memorandum of Agreement indicates the increased hours and additional pay, will vacation be the same. This will need to go to Town Meeting; Personnel By-law Article 6 wording "subject to the subsequent ratification of its actions to the next Town meeting."

Mr. Brown informed the Board not in this situation, this is outside the scope of the Personnel By-laws.

Mr. Johnson stated that last year the Community Development Director position was reclassified to a different grade; this did go to Town Meeting for approval.

Mr. Brown stated that in the future, increase the hours; define what full time hours are in the Personnel By-laws. Currently the by-law is worded "works a full work week" does not state number of hours.

Mr. Moraski mentioned that the job description will need to be updated accordingly.

A **Motion** was made by Mr. Moraski and seconded by Mr. Hinds that:

The Personnel Board endorses the Town Administrator to increase Mr. Mattson's hours from 35 to 40 per week effective July 1, 2016 with proration of salary from \$103,484 to \$118,267.

Motion was voted 3-1-0, Ms. Ragosta voted no.

### **Deputy Fire Chief:**

Mr. Johnson informed the Board that there are four internal candidates for the Deputy Fire Chief position - Peter Carter, Steve Smith, Paul Barry and David Emswiler who went through an eight hour process with the Assessment Center. Mr. Johnson does not want the same issues to happen as with the Deputy Police Chief promotion. He intends to offer \$104,000 to bring in parity with the Deputy Police chief. All four candidates have been working for the Town for a long time, looking for the Personnel Board's blessing. Intend to bring one candidate forward to the Board of Selectmen with the intention of offering salary of step 12, \$103,232, July 1<sup>st</sup> step 12 salary will be \$105,297. Currently the four candidates makes this or more which includes base pay, overtime, longevity, MEMA OT, holiday pay, EMT and Fire stipend.

Fire Chief Bailey informed the members that the candidate chosen will lose the overtime, holiday, and EMT stipend.

Ms Ragosta inquired if this was a 40 hours week at this salary with no overtime and no compensatory time.

Fire Chief Bailey confirmed this and mentioned that the Deputy Chief will get called in the night and would be required to attend meetings.

Mr. Johnson stated that this is not the same as when the Deputy Police Chief was promoted from a position listed on the salary schedule. This position is being promoted from the Fire Union Contract.

Mr. Moraski indicated that he spoke with Attorney Feeley in regards to this issue; the candidate selected for this position would lose overtime pay, stipends and education incentive. Overall he has no problem with what is being requested.

Mr. Johnson informed the Board that they budgeted \$111,742 – salary will be \$105,297 effective July 1<sup>st</sup>.

Ms. Ragosta stated that Article 10 does not apply in this situation.

Mr. Moraski mentioned that Attorney Feeley is working on the change in the Personnel By-law/Town Charter wording that conflicts with each other. After hearing the facts.....

A **Motion** was made by Mr. Moraski and seconded by Mr. Hinds that:

Motion to endorse whichever candidate chosen for Deputy Fire Chief to step 12 to bring in parity of the Police Department.

Motion was voted 4-0-0, unanimous.

### **MINUTES:**

Minutes of December 15, 2015 – hold until next meeting

A **Motion** was made by Mr. Moraski and seconded by Mr. Hinds that:

the Board approves of the Minutes of April 12, 2016.

Motion was voted 3-0-0, unanimous.

**PERSONNEL ACTION REQUEST:** Were reviewed and approved